

Notice of Allowability

Application No.

10/674,137

Examiner

Khai M. Nguyen

Applicant(s)

ROZHAVSKY ET AL.

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/15/2007.
2. ☒ The allowed claim(s) is/are 1,2,4-9 and 11-15.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The abstract of the disclosure is objected to because two paragraphs in abstract. Correction is required.

Allowable Subject Matter

2. Claims 1-2, 4-9, and 11-15 are allowed.

The following is a statement of reason for the indication of allowance: As the applicant stated in the remarks of the amendment filed on 2/15/2007, 11/19/2006, 8/2/2006, 3/25/2006, and 10/26/2005.

Applicant's independent claims 1 and 7: The present invention is directed to a wireless data communication terminal sharing a data communication resource with a plurality of other data communication terminals, the independent claim identifies the patentably distinct feature "regulate time intervals between successive data transmission on said inbound channel dependent upon said monitored channel status symbols inserted on the outbound channel, wherein the time intervals are adaptive, said processor is operable to determine a number of busy or idle timeslots in said data transmission on the outbound channel, and to determine what time interval should be set between two successive data messages based on said determination, and wherein

the time interval are adaptive time interval in the RD-LAP wireless data wireless data communication system". Applicant's independent claims 1 and 7 comprise a particular combination of elements, which is neither taught nor-suggested by prior art.

Applicant's independent claims 8 and 13: The present invention is directed to a wireless data communication terminal sharing a data communication resource with a plurality of other data communication terminals, the independent claim identifies the patentably distinct feature "determining a number of busy or idle timeslots in said data transmission on the outbound channel; and determining what time interval should be set between two successive data messages transmit from said wireless data communication unit based on said determination of a number of busy or idle timeslots, and regulating time intervals between successive data transmissions on said inbound channel, by said at least one wireless data communication terminal, dependent upon said monitored channel status symbols inserted on the outbound channel, wherein the time intervals are adaptive". Applicant's independent claims 8 and 13 comprise a particular combination of elements, which is neither taught nor-suggested by prior art.

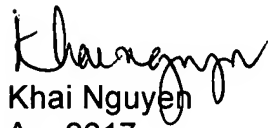
Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khai M. Nguyen whose telephone number is 571.272.7923. The examiner can normally be reached on 8:00-5:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph feild can be reached on 571.272.4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Khai Nguyen
Au: 2617

4/16/2007


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER